



**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
AUSTIN JOSHUA PETERSON, )  
Defendant. )  
2:10-CR-234-GMN (RJJ)

## **PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on September 27, 2010, defendant AUSTIN JOSHUA PETERSON pled guilty to Counts One, Three, Four, Five, Six, Seven, Eight, Nine, Ten, and Eleven of a Eleven-Count Superseding Criminal Indictment charging him in Count One with Armed Bank Robbery in violation of Title 18, United States Code, Section 2113(a) and (d); in Counts Three through Seven with Interference with Commerce by Robbery in violations of Title 18, United States Code, Section 1951; in Count Eight with Armed Bank Robbery in violation of Title 18, United States Code, Section 2113(a) and (d); in Count Nine with Use of a Firearm During, in Relation to, and in Furtherance of a Crime of Violence in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii) and (c)(1)(C); in Count Ten with Possession of Stolen Firearm in violation of Title 18, United States Code, Section 922(j); and in Count Eleven with Possession of Stolen Firearm in violation of Title 18, United States Code, Section 922(i).

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This Court finds defendant AUSTIN JOSHUA PETERSON agreed to the forfeiture of property set forth in Forfeiture Allegations of the Superseding Criminal Indictment.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Superseding Criminal Indictment and the offense to which defendant AUSTIN JOSHUA PETERSON pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(p):

1. a Bersa .380 semi-automatic handgun, bearing serial number A45032;
2. a Kel-Tec P-11 semi-automatic handgun, bearing serial number AFA82;
3. any and all ammunition;
4. Nintendo DS video game system;
5. two (2) video games;
6. an *in personam* criminal forfeiture money judgment of \$4,182.00 in United States Currency; and
7. an *in personam* criminal forfeiture money judgment of \$5,275.00 in United States Currency (“property”).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of AUSTIN JOSHUA PETERSON in the aforementioned property is forfeited and is vested in the United

1 States of America and shall be safely held by the United States of America until further order of the  
2 Court.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
4 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
5 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
6 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
7 the name and contact information for the government attorney to be served with the petition, pursuant  
8 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
10 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
12 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
13 following address at the time of filing:

14 DANIEL D. HOLLINGSWORTH  
15 Assistant United States Attorney  
16 MICHAEL A. HUMPHREYS  
17 Assistant United States Attorney  
Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
19 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
20 following publication of notice of seizure and intent to administratively forfeit the above-described  
21 assets.

22 DATED this 27 day of Sept, 2010.

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UNITED STATES DISTRICT JUDGE  
